

Corres. and Mail
BOX AF



RECEIVED
JAN 03 2003
TECH CENTER BOX AF
RESPONSE TO 100-00000
37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 1616 #19
PATENT M.M.
0425-0836P
2/12/03

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Masaharu HAYASHI et al. Conf.: 7584
Appl. No.: 09/842,896 Group: 1616
Filed: April 27, 2001 Examiner: A. PRYOR
For: PLANT-ACTIVATING AGENT

NOTICE OF APPEAL FROM THE
PRIMARY EXAMINER TO THE BOARD OF APPEALS

Assistant Commissioner for Patents
Washington, DC 20231

December 30, 2002
(Monday)

Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated November 4, 2002 of the Primary Examiner finally rejecting claims 4, 8, 10, 11, 13, 16 and 18.

The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.

The applicant(s) hereby petition(s) for an extension of three (3) month(s) pursuant to 37 C.F.R. §§ 1.17 and 1.136(a).

The fee has been calculated as shown below:

NO extensions of time have been previously obtained for responding to the Final Rejection. Thus a fee of \$920.00 is required for the full period of the above-requested extension of time.

An extension of _____ () month(s) for responding to the Final Rejection was previously requested and paid for on _____. Thus a fee of \$0.00 is required to obtain an additional _____ () month(s) for filing the Notice of Appeal.

12/31/2002 JADD01 0000035 09842896

01 FC:1253
02 FC:1401

920.00 OP
320.00 OP

Applicant claims small entity status. See 37 C.F.R. § 1.27.

The Government fee for filing a Notice of Appeal to the Board of Appeals is calculated as follows:

Large entity - \$320.00

Small Entity - \$160.00

Therefore, the TOTAL FEE due for the filing of this Notice of Appeal is \$1,240.00.

Payment of the above TOTAL FEE is being made in the following manner:

Check(s) in the amount of \$920.00 and \$320.00 is/are enclosed.

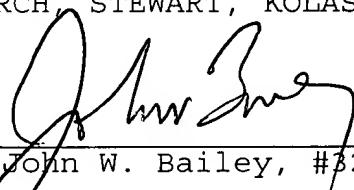
Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this sheet is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By


John W. Bailey, #32,881

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

JWB/GMD/jmb
0425-0836P

(Rev. 02/20/02)